

YORKSHIRE DALES NATIONAL PARK AUTHORITY

30TH May 2006**ARRANGEMENTS FOR THE OPERATION OF THE PLANNING COMMITTEE FOLLOWING THE ANNUAL MEETING OF THE AUTHORITY IN 2006****Purpose of report**

Following the Authority's agreement to reduce the size of the Planning Committee, to obtain members' approval to a range of procedures to implement that decision.

Background

At the Authority meeting on 28th March 2006, members agreed (amongst other things) that:

1. following the annual meeting of the Authority in 2006, the size of the Planning Committee will reduce from 26 to 15 members;
2. seats on the Planning Committee will be allocated to all four 'Groups' (in the same way that seats on other Committees are currently allocated);
3. nominations for seats on the Committee will be made by each Group, for consideration and decision by the Authority;
4. optional member rotation on the Committee will be included in the process;
5. a scheme be introduced whereby substitute members can attend the Planning Committee; and
6. member 'Champions' will be appointed who will be eligible to be substitute members on the Planning Committee, but in the optional rotation process will not become full members of the committee.

This report takes each of the above elements and suggests how each will operate or be implemented in practice.

1 & 2 - Reduce the size of the Committee and allocate seats to all four Groups:

Currently, the number of members in each of the four Groups on the Authority is –

- 7 – County Council appointees
- 7 – District Council appointees
- 7 – Secretary of State appointees
- 5 – Secretary of State (Parish) appointees

For a Committee of 15 members to replicate, as closely as possible, the above ratio, the Committee will consist of the following –

- 4 – County Council appointees
- 4 – District Council appointees
- 4 – Secretary of State appointees
- 3 – Secretary of State (Parish) appointees

3 – Nominations for seats to be made by each Group

In order for nominations from each Group to be considered at the annual meeting each year, it will be necessary for those nominations to be with the Chief Executive at least 10 working days before that meeting. These nominations, which will need to include nominated substitutes in order of 'priority', will then be reported, for consideration and determination, to the annual meeting. With regard to substitutes, any member who has been appointed as a 'Champion', will not be eligible to become a full member of the Planning Committee and, therefore, should be lower in order of priority than those substitute members who are not 'Champions'.

These nominations for membership of the Planning Committee will form part of a wider report on the establishment of **all** the Authority's committees. The Groups, when considering who to nominate for the Planning Committee, should also nominate members for the other Committees of the Authority. This will ensure that, although the final decision on which members serve on which Committees is one for the Authority, Groups will be able to consider **all** the Committee seats 'available', rather than just considering the Planning Committee in isolation. The attached **Annex A** provides an example of the pro-forma that will be provided for each Group and on which they should submit their nominations. Members will need to meet as Groups specifically to deal with the matter.

Recommendation: That at least 10 working days prior to the Authority's annual meeting each year, the four Groups meet to select nominations for their respective numbers of seats on **all** Committees, together with nominations, in order of priority, for substitute members of the Planning Committee.

4 & 5 – Optional member rotation and Substitute members

In thinking through how the process might operate in practice, a number of issues spring to mind, which are set out below, together with some initial views *in italics*:

- Not all members may wish to serve on the Planning Committee or be a substitute member (irrespective of whether or not they are Member Champions). *This will be a matter for individual members to decide, possibly after discussion with other members of their Group, to ensure that their Group is fully represented on the Committee.*
- Members who are 'Champions' may be substitutes, but may not become full members of the Committee. They will, therefore, not 'rotate' onto the Committee.
- Some members may be prepared to be a substitute, but may prefer not to be a full member. Should such members automatically **have** to become a full member of the Committee in the following year under optional rotation? The 'optional rotation' paragraph in the report to the March Authority meeting stated "those Members who wished to be on the Planning Committee but were unsuccessful would be guaranteed a place on it the following year". *Only those members who wish to be on the Planning Committee will 'rotate'. No member will have to be on the Committee, although there may be an issue for Groups (or the Authority) to ensure that each Group is adequately represented. For example, for a group of seven members, of whom A, B, C and D are on the Planning Committee, E is a Champion, F does not wish to serve on the Committee and G does, their nominations after the first year should consist of G plus three members drawn from A, B, C and D.*
- Standing Order(SO) 2.4(a) permits any member of the Authority to attend as an observer at a meeting of which they are not a member and, with the permission of the Chairman, to speak (but not vote) on any matter. That SO will permit any member who is not on the Planning Committee on any given day to attend and, with the permission of the Chairman, to speak. It is not proposed that any rules should be established to specify where in the debate such members should speak. It is considered preferable, initially, to leave it to the Chairman's discretion.
- Training – Standing Orders currently require any new member of the Authority to undertake a Planning Committee training course and also state that continued membership of the

Committee will require refresher training to be undertaken by all members of that Committee. *The general thrust of the SO that preliminary and continued training is required for membership of the Planning Committee will still apply, but the wording of the SOs may benefit from some minor revision.*

The introduction of the substitute element of the process is new for the Authority. North Yorkshire County Council and other Councils in the area have operated substitute member schemes for several years and these will be familiar to many members of the Authority. The attached **Annex B** sets out a procedure based on the County Council's scheme, but tailored to meet the needs of this Authority.

Recommendation: That, with effect from the first meeting of the newly constituted Planning Committee following the Authority's annual meeting in 2006:

(a) optional rotation of members of the Planning Committee shall operate on the following basis:

- all members who are members or substitutes of the Committee will be required to attend appropriate training;
- members who are not members or substitute members of the Planning Committee may also attend such training;
- any member who wishes to revise a previous decision not to serve on the Committee will, if they have not attended appropriate training, be required to undertake the 'normal' planning induction training (if they have not been a member or substitute member of the Committee in the preceding six months);
- at the next annual meeting of the Authority, those members of a Group who had been substitute members during the preceding year and any other members who may be eligible (e.g. ex-Champions or members who have reversed a previous decision not to serve on the Committee), shall, with the exception of 'Champions', who will not form part of the 'rotation' process but may still be substitute members, form part of the Group's nomination to be members of the Committee;
- in the event of a mid-year 'departure' from the Committee by a member, the first-named substitute will 'step-up' to become a member of the Committee. This is a change from the current convention whereby that member's replacement on the Authority would normally take over the departing member's Committee seats.

(b) a scheme for the appointment of substitute members of the Planning Committee be adopted in accordance with the Scheme set out in Annex B to this report.

6 – Member 'Champions'

Once a member has been appointed **by the Authority** as a 'Champion', he/she will not be eligible to be a full member of the Planning Committee. They will, however, still be able to serve as a substitute member.

If they subsequently wish to resign their position as a 'Champion', that may be done by writing to the Chief Executive. Providing that resignation is received before their Group's nominations for membership of the Planning Committee are considered, they would become eligible to be nominated for the Planning Committee.

Quorum of the Committee

In establishing a new Committee, the Authority will need to consider the quorum for that Committee. Unless a higher alternative quorum has been set, legislation states that no business shall be transacted at a meeting unless:

- a) at least one third of the whole number of members of the Committee are present; and*
- b) of those present at least one is a local authority member and at least one a Secretary of State member.*

On the above basis, five would be the minimum number for the quorum of the proposed Planning Committee. However, the Authority, when setting up committees previously, has always set the quorum higher than the minimum requirement. Currently, for example, the quorum for both the Audit & Review and the Finance & Resources Committees, that each have a membership of 13 members, is set at six, whereas legislation would require that they each have a quorum of five.

Recommendation: That the quorum for the Planning Committee of 15 members be set at seven, subject to at least one of those present being a local authority member and at least one a Secretary of State member.

Conclusions

The proposals set out above are, hopefully, self-explanatory, reasonably straightforward and, importantly, workable.

However, Members may wish to consider putting in place a timetable for reviewing the operation of the new Planning Committee or at least some elements of it such as the substitute member scheme and optional rotation. The former could be reviewed after 12 months, but the latter would not have come into effect until after the July 2007 annual meeting of the Authority and, therefore, would need to be reviewed on a different timescale.

In view of the fact that, in April 2007, the Authority itself will reduce in size from 26 to 22 members, Members will need to consider reviewing the size of all the Authority's Committees and Sub-Committees.

RECOMMENDATION

That:

- (a) with regard to the future operation of the Authority's Planning Committee, the individual recommendations set out in the body of this report be approved and implemented in order for the new Planning Committee to be able to operate following the July 2006 annual meeting of the Authority;
- (b) consideration be given to a establishing a timetable(s) for reviewing the operation of the Planning Committee.

RICHARD PARKIN
SECRETARIAT OFFICER

Background documents: None
2nd May 2006

YORKSHIRE DALES NATIONAL PARK AUTHORITY

**MEMBERSHIP OF COMMITTEES
ALLOCATION OF SEATS BETWEEN GROUPS & MEMBER NOMINATION FORM**

COMMITTEE	MEMBERSHIP	Allocation of Seats				Nominations for Membership	Nominations for Substitutes
		Local authority		Secretary of State			
		County	District	'Ordinary'	Parish		
Access	8	2	2	2	2	1	N/A
						2	
Appeals	5	2	1	1	1	1	N/A
						2	
Audit & Review #	13	4 (3)	3 (4)	3 (4)	3 (2)	1	N/A
						2	
						3	
						4	
Finance & Resources #	13	3 (4)	4 (3)	4 (3)	2 (3)	1	N/A
						2	
						3	
						4	
Planning	15	4	4	4	3	1	1
						2	2
						3	3
						4	
Standards	7 *	2	1	1	1	1	N/A
						2	

- When the Audit and Review and the Finance and Resources Committees were established, the Authority decided that their memberships should be mutually exclusive, hence the either/or allocation of seats for the two Committees

* - Two members of the Standards Committee are Independent members and, therefore, have been excluded from the calculation for the allocation of seats amongst Authority members.

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
PLANNING COMMITTEE**

SCHEME FOR THE APPOINTMENT OF SUBSTITUTE MEMBERS

A member who is unable to attend a meeting of the Planning Committee may appoint a substitute to attend in his or her place. It is important, however, that the appointment is made in accordance with the procedures set out in the Approved Scheme, details of which are set out below.

**It must be noted that officers are NOT authorised to make substitution arrangements.
The arrangements must be made by the members themselves.**

With each Planning Committee agenda, members will receive a blank "substitution notice", listing the names and telephone numbers of the substitute members who may be appointed.

If a member wishes to appoint a substitute for a particular meeting, the "substitution notice" should be completed and returned to the Secretariat Office. If written notice cannot be given in that way, however, notice can be given orally, by fax, or by email.

Notice of a substitution must be made before the commencement of the meeting. Once made, a substitution cannot be altered or revoked - it lasts for the whole meeting.

Any member who is appointed by the Authority as a member 'Champion' may also be a substitute but will not be eligible to become a 'full' member under the rotation element of the membership of the Planning Committee. They will be placed lower on the priority list of substitutes than those members who are substitutes but who are not Champions.

THE APPROVED SCHEME

1. (a) The Authority, when appointing members ('full members') to serve on the Planning Committee, may also appoint members to act as substitute members ('substitutes') in the circumstances set out below.

(b) The members who may be appointed as substitutes shall be those members of each Group that have not been appointed as full members and who have indicated a willingness to serve on the Planning Committee.

(c) The order in which substitutes appear on the list of substitute members shall be decided by the Authority on the recommendation of each Group, but any member appointed by the Authority as a member 'Champion' will automatically assume a lower priority than substitute members who are not Champions.

2. A normal member of the Planning Committee shall, if he/she wishes a substitute to attend a meeting of the committee in his/her place, make the necessary arrangements with the first available member named in the list of substitutes of his/her Group. Notice of the substitution shall be given to the Secretariat Office as soon as possible, but in any event, before the commencement of the meeting, either in written (including fax or email) or in oral form, either by the normal member or by any other member of his/her Group.

3. (a) The substitute named in the Notice shall be the member whose name appears first in the list of substitute members of the same Group as that of the normal member. If, however, that substitute cannot attend the meeting in question or will be attending in substitution for another member, then the second named substitute for that group may be named in the notice. If he/she cannot attend or has already arranged to attend in substitution for another member, the third substitute may be named. Only if the first-named substitute cannot attend is it permissible to appoint the second named substitute, and so on.

(b) A substitute member cannot appoint a substitute.

4. The effect of a valid substitution notice shall be that the full member shall cease to be a member of the Committee for the duration of that meeting (and for the duration of any adjournment of it) and that the substitute shall be a full member of the Committee for the same period.

5. A valid substitution notice, once given in respect of a meeting, may not be revoked in respect of that meeting, or any adjournment of it.

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
PLANNING COMMITTEE**

??Date??

SUBSTITUTION NOTICE

I, _____ hereby give notice that I am unable to attend the meeting specified at the head of this notice and that I nominate _____ (being the substitute member who is highest on the list of Substitute Members who is able to attend the meeting) to attend that meeting in my place.

Date _____ Signed _____

NOTES:

(1) The Scheme for the appointment of Substitute Members approved by the Authority requires the normal Member to make any necessary arrangements for a substitute to attend in his/her place and to name that Member in any notice.

(2) Any notice, whether written or verbal, can apply only to the named Substitute Member.

(3) A valid substitution notice, whether written or oral, once given in respect of a meeting may not be revoked in respect of that meeting or any adjournment of it.

(4) For the convenience of Members, the names and telephone numbers of named Substitute Members of the Committee are given on the reverse of this notice.

(5) The Scheme requires that arrangements be made with the first available Member of the same group named in the list of Substitute Members.

To be valid this substitution notice should be completed and returned to the Secretariat Office not less than 48 hours before the start of the meeting. After that time verbal notice of substitution may be given.

When giving verbal notice of substitution please contact the Secretariat Office on 08701 666 333; fax: 01969 652398 or e-mail: secretariat@yorkshiredales.org.uk

FOR USE BY THE SECRETARIAT

Initial Notice received: Date _____ Time _____ Written/Verbal

Substitute Notified: Date _____ Time _____ Written/Verbal

Group	Full members	Substitute Member	Telephone
County Council	1	1	
	2	2	
	3	3	
	4		
District Members	1	1	
	2	2	
	3	3	
	4		
Secretary of State	1	1	
	2	2	
	3	3	
	4		
Secretary of State (Parish)	1	1	
	2	2	
	3		